

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

Michael Segura,

Case No.: 2:21-cv-01086-JAD-BNW

Plaintiff

V.

Zurich American Insurance Company, et al.,

## Defendants

**Order Adopting Report and  
Recommendation and Denying Motion to  
Enforce Settlement Agreement and for  
Sanctions**

[ECF Nos. 19, 24]

8 Mediation of this insurance-coverage action resulted in a settlement earlier this year. But  
9 a dispute over the language of the written release caused the defendant Zurich American  
10 Insurance Company to bring a motion to enforce the settlement agreement, asking the court to  
11 order the plaintiff to sign the version of the release that Zurich prefers.<sup>1</sup> The magistrate judge  
12 has evaluated Zurich’s motion and recommends that I deny it.<sup>2</sup> She reasons that the disputed  
13 language is “a material term that was not agreed upon” at the time that the settlement was  
14 reached.<sup>3</sup> She also finds that “sanctions are not warranted.”<sup>4</sup> The deadline for any party to  
15 object to that report and recommendation was yesterday, and no party filed an objection or  
16 moved to extend the deadline to do so. “[N]o review is required of a magistrate judge’s report  
17 and recommendation unless objections are filed.”<sup>5</sup> Having reviewed the report and  
18 recommendation, I find good cause to adopt it, and I do.

<sup>1</sup> ECF No. 19; corrected version at ECF No. 22.

<sup>2</sup> ECF No. 24 at 5.

3 Id.

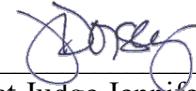
4 Id.

<sup>23</sup> <sup>5</sup> *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); see also *Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

1 IT IS THEREFORE ORDERED that the magistrate judge's report and recommendation

2 **[ECF No. 24] is ADOPTED** in its entirety.

3 IT IS FURTHER ORDERED that Zurich American Insurance Company's Motion to  
4 Enforce Settlement and Compel Dismissal of Action and Motion for Award of Attorney's Fees  
5 and Costs **[ECF No. 19] is DENIED.**



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7 U.S. District Judge Jennifer A. Dorsey  
8 November 1, 2022  
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